

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ROBERT HENRY JORDAN,

Plaintiff,

v.

Case No. 19-C-649

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

Defendant.

ORDER

Plaintiff filed a complaint seeking review of the decision of the Commissioner of Social Security and requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. The court granted Plaintiff's motion on May 8, 2019. But because Plaintiff was an inmate at the time the action commenced, he is bound by the Prison Litigation Reform Act (PLRA). The PLRA requires prisoner plaintiffs proceeding without prepayment of the filing fee (*in forma pauperis*) to pay the statutory filing fee over time. *See* 28 U.S.C. § 1915(b)(1). Under the PLRA, the court must assess an initial partial filing fee of twenty percent of the average monthly deposits to the plaintiff's account or average monthly balance in the plaintiff's prison account for the six-month period immediately preceding the filing of the complaint, whichever is greater. *Id.* After the initial partial filing fee is paid, the plaintiff must make monthly payments of twenty percent of the preceding month's income until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2). The Clerk directed Plaintiff to submit a certified copy of his institutional trust account statement for the past six months

by May 27, 2019. Once Plaintiff is assessed and pays the initial partial filing fee in this matter, the court will screen his complaint.

IT IS THEREFORE ORDERED that the order of May 8, 2019 granting Plaintiff's motion for leave to proceed without prepayment of the filing fee is **VACATED**.

IT IS FURTHER ORDERED that Plaintiff submit his trust account statement on or before May 27, 2019. Plaintiff's failure to timely submit his trust account statement could result in the dismissal of this action without prejudice.

Dated this 9th day of May, 2019.

s/ William C. Griesbach

William C. Griesbach, Chief Judge
United States District Court